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IRAQI AGGRESSION AND THE CONTINUED OCCUPATION OF KUWAIT IN FLAGRANT VIOLATION OF THE CHARTER OF THE UNITED NATIONS

SECURITY COUNCIL
Forty-sixth year

Letter dated 20 February 1991 from the Permanent Representative of Kuwait to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of a letter sent by His Excellency the Deputy Prime Minister and Minister for Foreign Affairs, Sheikh Sabah Al-Ahmad Al-Jaber Al Sabah, to his colleagues the Ministers for Foreign Affairs of the Non-Aligned Countries.

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly, under agenda item 153, and of the Security Council.

(Signed) Mohammad A. ABULHASAN
Permanent Representative

ANNEX

6 February 1991

We have perused the letter dated 28 January 1991 from Mr. Tariq Aziz, Iraq's Deputy Prime Minister and Minister for Foreign Affairs, to the Ministers for Foreign Affairs of the developing countries. We have noted with displeasure the falsification of events, forgery of facts, distortion of truth and incoherent propaganda lies which it contains: these demonstrate disdain for the international community and its institutions, conventions and collective determination. We therefore consider that we are morally bound to refute the letter. Let us simply recall and clarify the following:

1. The war began on 2 August 1990 when the Iraqi regime launched its aggression against Kuwait in an attempt to erase that country's national identity and eliminate it as a political entity. This fact is entirely unrelated to any regional or international plots and intrigues: these exist only in the propaganda files of the Iraqi regime, which concocts these allegations in order to justify its expansionist act of aggression. The Iraqi Minister's letter speaks of aggression against his country by what he calls colonialist countries, alleging that the Governments of those countries exploited the disturbance of international equilibrium caused by the deteriorating situation in the Soviet Union in order to launch this purported act of aggression.

Events and occurrences since the Iraqi regime's act of aggression against Kuwait have unequivocally confirmed that the truth of the matter is the exact opposite of what the regime claims. The Iraqi regime was unable to grasp the meaning of international détente and the implications and dimensions of the new contemporary order. It therefore misread the new thinking in Soviet foreign policy and thus miscalculated the Soviet reaction to its aggression. The Iraqi regime erroneously believed that the world was preoccupied with the political and economic changes in the Soviet Union and Eastern Europe, the unification of Germany and other aspects involved in laying the foundations of the post-cold-war era. It wanted to perpetrate its expansionist and imperialist act of aggression without being noticed by the international community.

2. We agree with the view expressed in the letter of the Iraqi Minister of Foreign Affairs to the effect that the peoples of Asia, Africa and Latin America have successfully managed to eliminate colonialism, to liberate themselves from occupation and to achieve freedom and independence. What the letter has overlooked, however, is that these nations are determined to defend their gains and are not willing to go back and to accept imperialist practices, humiliation and occupation, whatsoever its origin. They will not substitute one occupation for another and one colonizer for another. That was a dark age in the history of mankind which has finished, never to return. Under the new collective security order, free peoples will resist any attempt to detract from their dignity and to encroach upon their freedoms and sovereignty over their land and resources.

3. Since April 1990, the Iraqi regime has been adopting new definitions previously unknown to the world. It alleged that an increase in oil production by

some countries of the region constituted aggression against Iraq because, it alleged, such action was equivalent to the use of military force. Its letter dated 15 July 1990 to the League of Arab States may be seen in that context.

4. The Iraqi regime resorted to base methods of deception. While talks were being held on 1 August 1990 at Jeddah, Saudi Arabia, to resolve the differences between Iraq and Kuwait by recognized political means - the agreement being that a dialogue between the two parties would be maintained - and while Iraq assured Arab and international parties that it had no intention of perpetrating any aggression, its leadership had already taken the decision to invade Kuwait and mustered its armies for an assault on the sovereignty of a country and the dignity of a people which are bound to Iraq by ties of religion, Arabism and history.

5. Immediately after its occupation of Kuwait, the Iraqi regime resorted to the theatrical ploy of forming a puppet regime, comprising some Iraqis who, as a result of armed resistance and universal popular rejection, were unable to meet any of the requirements of acceptability and continuity. There was therefore no alternative for the Iraqi leadership other than to announce, in a blatant manner full of disregard for all Arab and international conventions, its decision to annex Kuwait to Iraq. Iraqi political and propaganda agencies then began to speak of the nineteenth province and to commit other breaches of recognized international conventions.

6. The issue is not, as alleged by Iraq, the presence of Arab and international forces, which came in response to a request from the nations of the Gulf Cooperation Council. The basic issue is the flagrant crime constituted by Iraq's invasion of Kuwait and attempt to destroy it as an entity and obliterate its identity, in violation of the Charter of the United Nations, which prohibits the threat or use of force against the sovereignty and independence of nations. The presence of such Arab and international forces, which Iraq alleges is the core of the issue, is consistent with the right of self-defence, the principles of the League of Arab States and the Charter of the United Nations. The intention is to address the new situation in the region arising from the aggression against Kuwait and the threat to other nations of the Cooperation Council. These allied forces came in response to Security Council resolutions and to a clear request by Kuwait and other countries threatened by the Iraqi invasion.

7. The long record of practices against Islam and Muslims by the Iraqi regime clearly reveals the spurious nature of the slogans advanced by that regime. It plunged the people of Iraq into the eight-year war against a Muslim neighbour, killing thousands of Muslims in both Iraq and Iran. It also deliberately killed many Muslim scholars and massacred thousands of its own Muslim people when it used poison gas against them in northern Iraq. It recently ordered its hirelings to call into question the noble traditions of the Prophet by distorting the texts of those traditions in order to suit its disgraceful practices.

Such practices of the Iraqi regime as these categorically demonstrate how far that regime is from the genuine spirit of Islam, which aims to establish peace, security and stability.

8. The daily sufferings of the Kuwaiti people in Kuwait at the hands of the Iraqi occupation authorities clearly display the repressive practices of the Iraqi regime against the people of Kuwait. These practices include detention, subjugation, torture, murder and expulsion, and all categories of Kuwaiti society are being subjected to them. They also include the plunder and looting of public and private property. In the critical conditions under which Kuwait lives today, elements of the Iraqi occupation army are confiscating the limited foodstuffs available to the Kuwaiti people.

There is no doubt that such inhumane practices are designed to ensure the expulsion of the Kuwaiti people and their replacement by Iraqis: this has been proved by Kuwait in the documents which it has submitted to the United Nations.

9. The operation to liberate Kuwait began only after Arab and international parties had exhausted all efforts to urge and persuade Iraq to leave Kuwait. These efforts included the Arab Summit resolutions, the Declaration of the Islamic Conference and 12 resolutions of the Security Council, the last of which allowed a grace period until 15 January 1991 for Iraq to withdraw its forces from Kuwait. There were also innumerable appeals and numerous universally publicized attempts at mediation to which the major Powers, Arab and Islamic States, non-aligned countries and the Secretary-General of the United Nations all contributed, with a view to avoiding military action and sparing the world an unnecessary bloody confrontation. However, these endeavours failed in the face of insolence, arrogance and rejection on the part of a regime which believes in military force as a way of achieving its objectives and a means of resolving differences.

Operation Desert Storm began only after the international community lost all hope that Iraq would comply with the Security Council resolutions, after all peace-loving forces had exhausted their good offices in search of a peaceful solution to the crisis and when those parties lost patience with Iraq's intransigence and prevarication. The Iraqi Minister for Foreign Affairs' claim in his letter that his country had sought an Arab solution of the crisis from the outset is disproved by Kuwait's request, before the Iraqi invasion, for an Arab solution to contain the crisis. The Iraqi regime, however, rejected outright any Arab solution and insisted on a bilateral solution of the crisis in a deliberate farce concocted only hours before the invasion.

10. The operation to liberate Kuwait is based on the resolutions adopted by the international community, on international law and on the principles of the Charter of the United Nations. Chapter VII of the Charter provides for deterrent measures against a State which resorts to the use of force in order to make territorial or expansionist gains. The Security Council has the legal authority to authorize the international community to use force in order to secure stability and the rule of law in any region.

11. Contrary to the allegations made by Iraq through the statements of its officials, propaganda organs and those who promote its views in certain countries with a view to influencing Arab and international public opinion, it is not the intention of Operation Desert Storm to destroy or humiliate Iraq. The operation was launched to liberate Kuwait and will end as soon as Iraqi forces withdraw from

the territory of Kuwait. This fact has been confirmed in all statements emanating from the nations of the Gulf Cooperation Council, and the declaration issued following the meeting between the Soviet Minister for Foreign Affairs and his United States counterpart on 29 January 1991 confirmed that the object of the operation is only to liberate Kuwait.

Your stand on behalf of international legitimacy and your active support of its lawful measures to halt and rout the aggression are the best contribution which can be made to peace and the establishment of a more secure, stable and prosperous world order.

Sabah Al-Ahmad Al-Jaber AL SABAH
Deputy Prime Minister and Minister
for Foreign Affairs